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September 26, 2023

Via ECF

Hon. Victoria Reznik  
Southern District of New York

# MEMO ENDORSED

Re: *Gordon Brush v. Allstar Marketing*; Case No. 22cv05978 (KMK-VR)  
Status Conference Follow-up Letter

Dear Judge Reznik,

We represent Plaintiff Gordon Brush Mfg. Co., Inc. in the above-referenced matter. This letter is provided as requested during the September 26, 2023 Status Conference [ECF No. 42] and responds to the issues that were raised in the Status Conference. As to each issue, Plaintiff responds as follows.

1. Plaintiff's document production.

a. Documents in relation to latest production. During the Status Conference Defendant's counsel indicated certain documents were not included with Plaintiff's last production, specifically documents bearing Bates stamp numbers 40859-5 01905 through 40859-5 2060. On September 29, 2023, Plaintiff provided counsel for Defendant electronic copies of those documents.

b. Responses to third-party subpoenas. Plaintiff has reviewed its records and confirms that it has already produced all documents produced in response to third-party subpoenas.

2. Clarification of role of certain persons disclosed by Plaintiff.

Plaintiff has disclosed three individuals affiliated with the China-based law firm Chang Tsi & Partners. Chang Tsi, through these three individuals, is providing consulting expert services to Plaintiff and the documents identified on Plaintiff's Privilege Log by Bates stamp numbers 40859-5 01905 through 40859-5 2060 are documents prepared by Chang Tsi for and at

the request of Plaintiff directly in relation to the instant litigation and for purposes of Plaintiff's trial preparation.

3. Expert Discovery Schedule. Counsel for Plaintiff has conferred with counsel for Defendant and the parties have agreed to the following adjustments to the Expert Disclosure deadlines to accommodate discovery concerning experts addressing the mold issue and all other experts. All of the following dates still allow for final Expert Discovery Closure on January 16, 2024 per Judge Karas' Scheduling Order dated April 25, 2023 [ECF 30].

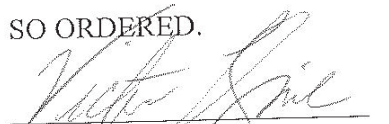
Event	Mold Experts	Non-Mold Experts
Plaintiff Expert Disclosure	October 24, 2023	October 13, 2023
Defendant Expert Disclosure	November 28, 2023	November 13, 2023
Plaintiff Expert Rebuttal	December 8, 2023	December 1, 2023
Defendant Expert Rebuttal	January 8, 2024	January 2, 2024
Expert Discovery Completed	January 16, 2024	January 16, 2024

The parties' request is **GRANTED**.

The scheduling changes outlined above are so-ordered, with certain corrections listed below:

Defendant Expert Rebuttal (Mold):  
1/8/2024  
 Defendant Expert Rebuttal (Non-Mold):  
1/2/2024  
 Expert Discovery (Mold):  
1/16/2024  
 Expert Discovery (Non-Mold):  
1/16/2024

SO ORDERED.

  
 Hon. Victoria Reznik, U.S.M.J.

Dated: 10/2/23

Respectfully,  
/s/Mark A. Niede  
 Mark A. Niede  
 Counsel for Plaintiff